

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
April 20, 2010

The City Council convened in Regular Session on Tuesday, April 20, 2010, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Larry Muench presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Jerry Reese, Ron Stivison, Richard Veit, and Michael Weller. Absent: None. City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #47279

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

APRIL 6, 2010, ELECTION RESULTS

Canvass of Election Returns of the General Municipal Election Held April 6, 2010, and
Declaration of the Election Results

A motion was made by LARRY MUENCH to receive and approve the certification of election results of the General Municipal Election held on April 6, 2010. LAURIE FELDMAN seconded the motion. A roll call vote was taken, with the following results: "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: None. Motion passed.

File #47363

Presentation of Plaque to Retiring Councilmember Erv Ermeling

The Honorable Mayor Patricia M. York presented a plaque to retiring Councilmember Erv Ermeling for his hard work and commitment to the City of St. Charles during his tenure as Councilmember.

Recess of Regular Meeting, and Reconvening With Newly Elected Members of the
Council

At 7:10 p.m. President of the Council Larry Muench announced that the Regular Council Meeting would recess for three minutes. The Regular Council Meeting was reconvened at 7:13 p.m., with President of the Council Larry Muench presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Bridget Ohmes, Jerry Reese, Ron Stivison, Richard Veit, and Michael Weller. Absent: None

Administration of Oaths of Office

The Honorable Mayor Patricia M. York administered the oaths of office to the following Councilmembers:

Jerry Reese – Ward Six, with term ending April, 2013

Michael Klinghammer – Ward Eight, with term ending April, 2013

Bridget Ohmes – Ward Ten, with term ending April, 2013

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The Honorable Judge Dan Barklage administered the oaths of office to the following Councilmembers:

Dave Beckering – Ward Seven, with term ending April, 2013
Ron Stivison – Ward Nine, with term ending April, 2013

Election of President and Vice President of the City Council

Ballots were distributed for the election of President of the City Council. The ballots were counted, with the following results: Michael Klinghammer - 10 votes. The City Clerk announced that Michael Klinghammer was elected President of the City Council.

Ballots were distributed for the election of Vice-President of the City Council. The ballots were counted, with the following results: Dave Beckering - 10 votes. The City Clerk announced that Dave Beckering was elected Vice-President of the City Council.
File #47364

A motion was made by RICHARD VEIT to advance *Item 4 Awards/Proclamations* and *Item 5 Public Comment* on the agenda. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

AWARDS/PROCLAMATIONS

Retirement Recognition of Judy Richardson (City Clerk's Office)

Councilmember Laurie Feldman presented a Certificate of Appreciation to Judy Richardson for her 14 years of service with the City Clerk's Office. City Clerk Marilyn K. McCoy gave a biography of the employment of Judy Richardson.

Presentation of High School Senior Scholarships 2010

Councilmember Larry Muench presented \$1,000 scholarships to the following High School Seniors for the essays written entitled "How Can I Help St. Charles Go Green":

Amy Bogucki – Lutheran High School
Kathleen Riddler – St. Charles High School
Megan Illy – St. Charles West High School
Brenton R. Harms – Francis Howell North
Caitlin A. Bighem – Orchard Farm High School

PUBLIC COMMENT RELATIVE TO CITY ISSUES

Arlene Hogue, 2916 Westover Place, invited the Mayor and Councilmembers to attend the National Day of Prayer Event on May 6, 2010, to be held at the Historic County Courthouse.

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PUBLIC HEARING

The President of the Council Michael Klinghammer announced that the following Public Hearing would now be held. At the conclusion of the hearing, the Regular Session continued with the order of business:

- A. Case No. DR-05-10. An ordinance creating §156.098 Minimum Dwelling Sizes in Partially Completed Residential Developments of the St. Charles Code of Ordinances (Zoning Code) for the purposes of establishing minimum square footage requirements for residential subdivisions. (***Council Bill 10186***)

RESOLUTION

A Resolution Authorizing Submittal of an Application with the Missouri Department of Social Services, Family Support Division, to Receive Funding for the Emergency Shelter Grant Program on Behalf of Bridgeway Behavioral Health for the Period of April 1, 2010 Through March 31, 2011 (*Sponsor: Larry Muench*)

Passed “Aye”: Feldman, Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, and Beckering

“Nay”: None

Absent: None

Approved by the Honorable Mayor on April 22, 2010, and is known as **Resolution R10-06**

BILLS FOR FINAL PASSAGE

Bill 10107 (*Held*)

An Ordinance Amending Section 156.066 Regarding the Historic South Main Preservation District to Establish Noise Control Standards (*Sponsor: Larry Muench*)

Council Bill 10107 was held by Sponsor Larry Muench.

Bill 10149

An Ordinance Authorizing Amendment No. 2 to the Contract with Schuhmacher Fire Equipment LLC for the Purchase of Additional Bunker Gear/Fire Fighter Suits for the Fire Department in an Amount of \$65,000.00, for a Total Amount Not to Exceed \$238,800.00 (*Sponsors: Larry Muench, Laurie Feldman, Richard Veit, and Ron Stivison*)

Passed “Aye”: Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, Beckering, and Feldman

“Nay”: None

Absent: None

Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-68**

Bill 10150

An Ordinance Authorizing an Interagency Agreement with The Child Center, Inc. and Other Participating Municipalities for Participation in the Multidisciplinary Child Abuse Center Program (*Sponsors: Larry Muench, Richard Veit, and Laurie Feldman*)

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Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-69**

Bill 10151

An Ordinance Suspending the Prohibition Against Drinking Alcoholic Beverages in Public Places at the Location and During the Hours of Operation of the 2010 Events of Music on Main; Hot Summer Nights; Festival of the Little Hills and the Mosaics Festival
(Sponsors: Bob Kneemiller, Richard Veit, and Ron Stivison)

Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-70**

Bill 10152

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by William & Bertha Massey (1011 Meadow Lane Lot #2) (Sponsor: Jerry E. Reese)

Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-71**

Bill 10153

An Ordinance Rezoning to City Zoning District C-3 (Highway Business District) from County Zoning District R-1E (Single-Family Residential District), a Parcel of Land Located at 1011 Meadow Lane Lot #2 (Sponsor: Jerry E. Reese)

Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-72**

Bill 10154

An Ordinance Repealing Ordinance 09-203 and Enacting a New Ordinance Designating Enterprise Bank & Trust a Depository of the City of St. Charles, Missouri; Authorizing the Establishment of a Joint Bank Account Titled "The City of St. Charles, Missouri and St. Charles County Convention and Sports Facilities Authority" at Enterprise Bank &

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Trust; and Designating Persons Authorized to Initiate Wire Transfers or Sign Checks on Behalf of the City (*Sponsors: Richard Veit, Larry Muench, Jerry Reese and Ron Stivison*)

Passed “Aye”: Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, Beckering, and Feldman

 “Nay”: None

 Absent: None

Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-73**

Bill 10155 (*Withdrawn by Sponsors*)

An Ordinance Amending Chapter 156 of the Code of Ordinances by Enacting a New Section To Be Known as Section 156.098 Pertaining to the Establishment of Minimum Dwelling Sizes in Partially Completed Residential Areas (*Sponsors: Bob Kneemiller and Laurie Feldman*)

Council Bill 10155 was withdrawn by Sponsors Bob Kneemiller and Laurie Feldman.
File #47365

Bill 10156

An Ordinance Amending Sections 156.005, 156.025, 156.026, 156.029, 156.030, 156.031, 156.032, 156.037, 156.040 and 156.093 of the Code of Ordinances Pertaining to Telecommunication Towers (*Sponsors: Richard Veit, Michael Klinghammer and Larry Muench*)

Passed “Aye”: Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, Beckering, and Feldman

 “Nay”: None

 Absent: None

Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-74**

Bill 10157 (*Referred to the Council Work Session Scheduled for May 11, 2010*)

An Ordinance Amending Chapter 156 of the Code of Ordinances by Amending Section 156.034 to Include Certain Auto-Related Land Uses as Permitted and Conditional Uses the C-3 Highway Business District (*Sponsors: Bob Kneemiller and Richard Veit*)

Council Bill 10157 was referred to the Council Work Session scheduled for May 11, 2010.

Bill 10158

An Ordinance Authorizing a Contract with Franco Fire Equipment LLC for the Purchase of Scott SCBA (Self-Contained Breathing Apparatus) Associated Equipment and Accessories in the Amount Not to Exceed \$268,447.00 (*Sponsors: Larry Muench, Laurie Feldman, Richard Veit, and Ron Stivison*)

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Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-75**

Bill 10159

An Ordinance Approving the Record Plat for Resubdivision of Lot 21 of Runnymede, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-76**

Bill 10160

An Ordinance Authorizing Supplemental Agreement #3 with St. Charles Engineering and Surveying, Inc. for Design of the Diekamp Lane Reconstruction Project in an Amount of \$11,707.00, for a Total Contract Not to Exceed \$114,007.00 (*Sponsor: Bob Kneemiller*)

Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-77**

Bill 10161 (Held)

An Ordinance Amending Schedule II, Subsection (A) of Chapter 78 of the Code of Ordinances by Establishing Parking Restrictions Along a Portion of North Third Street (*Sponsors: Richard Veit, Larry Muench, Jerry Reese, Ron Stivison and Michael Klinghammer*)

Council Bill 10162 was held by Sponsors Richard Veit, Larry Muench, Jerry Reese, Ron Stivison, and Michael Klinghammer.

Bill 10162 (Held)

An Ordinance Amending Section 40.23 of the Code of Ordinances Requiring Competitive Bidding with Contract Extensions and Renewals (*Sponsor: Bob Kneemiller*)

Council Bill 10162 was held by Sponsor Bob Kneemiller.

Bill 10163

An Ordinance Amending Ordinance Number 09-231 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2010 (Budget Amendment #3) (*Sponsor: Larry Muench*)

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Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-78**

Bill 10164

An Ordinance Authorizing Use of Economic Development CIP Funds in an Amount Not to Exceed \$75,000 for an Army Corps of Engineers Hydrologic Sediment Response Micromodel Analysis to Determine the Missouri River's Capacity for Riverfront Development (*Sponsors: Laura Feldman and Bob Kneemiller*)

Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-79**

Bill 10165

An Ordinance Authorizing a Contract with Gilmore & Bell to Provide Bond Counsel Services Regarding the Proposed Issuance of Certificates of Participation for the Purpose of Financing Improvements to the Water and Sewer System (*Sponsor: Erv Ermeling*)
Former Councilmember Erv Ermeling was removed as Sponsor; and President of the Council Michael Klinghammer was placed on Council Bill 101065 as sponsor.

Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-80**

Bill 10166

An Ordinance Authorizing Acceptance of Public Improvements of Sanitary and Storm Sewers and Their Appurtenances at Hollow Brook (Old Highway 94) for Vantage Builders and Release of Security (*Sponsors: Bob Kneemiller and Erv Ermeling*)
Former Councilmember Erv Ermeling was removed as Sponsor.

Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit,
Weller, Beckering, and Feldman
"Nay": None
Absent: None
Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-81**

Bill 10167 (Tabled)

An Ordinance Amending Section 150.001 Pertaining to Responsibility for Enforcement of Chapter 150; Amending Section 150.085 Pertaining to Fees to the Board of Appeals;

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Creating Section 150.004 Pertaining to Board of Appeal Authority; Creating Section 150.005 Pertaining to Building Permit Expiration; Amending Sections 150.015 and 150.016 to Adopt the 2006 Edition of the *International Building Code*; Amending Sections 150.020 and 150.021 to Adopt the 2006 Edition of the *International Residential Code For One- And Two- Family Dwellings*; Amending Sections 150.025 and 150.026 to Adopt the 2006 Edition of the *International Energy Conservation Code*; Amending Sections 150.030 and 150.031 to Adopt the 2006 Edition of the *International Property Maintenance Code*; Amending Sections 150.035 and 150.036 to Adopt the 2006 Edition of the *International Existing Building Code*; Amending Sections 150.040 and 150.041 to Adopt the 2006 Edition of the *International Mechanical Code*; Amending Sections 150.045 and 150.046 to Adopt the 2006 Edition of the *International Fuel Gas Code*; Amending Sections 150.055 and 150.056 to Adopt the 2005 Edition of the *National Electrical Code*; Amending Sections 150.075 and 150.076 to Adopt the 2006 Edition of the of the *International Plumbing Code*; to Make Local Amendments Thereto; and to Provide an Effective Date Thereof (*Sponsor: Larry Muench*)

A motion was made by BOB KNEEMILLER to table Council Bill 10167 until July 20, 2010. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Bill 10168

An Ordinance Authorizing an Agreement with the Missouri Department of Natural Resources, State Historic Preservation Office, for Receipt and Disbursement of the Historic Preservation Fund Grant for the Historic/Architectural Survey of the St. Charles Mid-Town and Common Neighborhoods, Phase I (*Sponsor: Larry Muench*)

Passed “Aye”: Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, Beckering, and Feldman

 “Nay”: None

 Absent: None

Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-82**

Bill 10169

An Ordinance Granting the Department of Public Works Authorization to Administer Relocation Benefits to the Displaced Residents of Diekamp Mobile Home Park as Required By the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and Granting the Mayor and City Clerk Continuing Authority to Execute Any Documents Necessary to Carry Out the Disbursements of Relocation Benefits Provided Relocation Packages Do Not Exceed \$40,000 Per Qualified Displaced Resident (*Sponsor: Bob Kneemiller*)

Passed “Aye”: Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, Beckering, and Feldman

 “Nay”: None

 Absent: None

Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-67**

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Bill 10171 (Tabled)

An Ordinance Amending Sections 95.01 and 95.02 of the Code of Ordinances of the City of Saint Charles Missouri, to Adopt the *International Fire Code*, 2006 Edition (*Sponsor: Larry Muench*)

A motion was made by BOB KNEEMILLER to table Council Bill 10171 until July 20, 2010. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Bill 10172

An Ordinance Authorizing an Agreement with the Missouri Highways and Transportation Commission for Receipt of 5309 Capital Assistance Grant Funds for the Acquisition of Four (4) St. Charles Area Transit System (SCAT) Buses up to a Maximum Funding Amount of \$400,685.00 (Sponsor: Larry Muench)

Passed “Aye”: Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, Beckering, and Feldman

“Nay”: None

Absent: None

Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-83**

Bill 10173

An Ordinance Authorizing Supplement Agreement No. 1 to the Engineering Services Contract with George Butler Associates, Inc. for Additional Design Services on the McClay and Hackmann Intersection Improvements Project in an Amount of \$33,264.00 for a Total Contract Amount Not to Exceed \$102,143.00 (*Sponsors: Bob Kneemiller and Michael Weller*)

Passed "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, Beckering, and Feldman

“Nay”: None

Absent: None

Approved by the Honorable Mayor on April 22, 2010, and is known as **Ordinance 10-84**

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 10174

An Ordinance Authorizing a License Agreement with the Norfolk Southern Railway Company for Installation, Maintenance, Operation and Removal of a 24-Inch Ductile Iron Sewage Pipe Encased in a 36-Inch Steel Pipe Located In, Under and Across the Right-of-Way or Property and Any Tracks of Railway at Milepost S-22.05, St. Louis Moberly Line for the Construction of the Adams Street Force Main (Sponsor: Richard Veit)

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Bill 10175

An Ordinance Amending Chapter 131 of the Code of Ordinances of the City of St. Charles, Missouri by Amending Section 131.10, 131.11, 131.12, 131.13 and 131.14 Pertaining to "Residency, Loitering and Activity Limitations For Certain Offenders"
(Sponsor: Ron Stivison)

Councilmembers Richard Veit and Councilmember Larry Muench requested that their names be added as sponsors of Council Bill 10175. Councilmember Richard Veit requested a copy of the State Law which Council Bill 10175 mirrors.

Bill 10176

An Ordinance Authorizing a Right-of-Way Encroachment License Agreement with Quintessential Dining and Nightlife for the Construction, Operation and Maintenance of a Sidewalk Café Located at 149 North Main Street (Sponsor: Richard Veit)

Bill 10177

An Ordinance Authorizing a Right-of-Way Encroachment License Agreement with Tony's on Main Street for the Construction, Operation and Maintenance of a Sidewalk Café Located at 132 North Main Street (Sponsor: Richard Veit)

Bill 10178

An Ordinance Authorizing a Contract with Eastern Missouri Concrete, LLC for Ready-Mix Concrete Supply Services for the Street Division in an Amount Not to Exceed \$115,000.00 (Sponsor: Larry Muench)

Bill 10179

An Ordinance Authorizing a Contract with Kelp Contracting, Inc. for the Fifth Street Overpass Slope Repair Project in an Amount Not to Exceed \$315,161.08 (Sponsors: Dave Beckering and Richard Veit)

Bill 10180

An Ordinance Authorizing Change Order No. 2 to the Contract with All Type Grading Excavating, Inc. for the Construction of the Pine Street Sanitary Sewer Project in an Amount of \$13,726.20, for a Total Contract Amount Not to Exceed \$113,453.02
(Sponsor: Dave Beckering)

Bill 10181

An Ordinance Authorizing a Contract with Tap Utilities, LLC for the Bee-Jay Storm Sewer Project in an Amount Not to Exceed \$226,932.25 (Sponsors: Michael Klinghammer and Larry Muench)

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Bill 10182

An Ordinance Establishing Water Rates, Sewer Rates and Minimum Meter Charges and Establishing Effective Dates of July 1, 2010, January 1, 2011, January 1, 2012, January 1, 2013, January 1, 2014 and January 1, 2015 Thereof (*Sponsors: Richard Veit, Larry Muench, Laurie Feldman, Bob Kneemiller, Mike Weller, Jerry Reese, Mike Klinghammer and Ron Stivison*)

Councilmember Dave Beckering requested that the additional amount of revenue generated each year by the rate increase be forwarded to the Council. Councilmember Bridget Ohmes requested that her name be added as a sponsor to Council Bill 10182.

Bill 10183

An Ordinance Authorizing an Agreement Between the United States of America, Represented by the US Army TACOM Life Cycle Management Command, and the City of St. Charles, Missouri, for Acceptance of a Conditional Deed of Gift of Ceremonial Rifles for the Police Department (*Sponsors: Ron Stivison and Larry Muench*)

Bill 10184

An Ordinance Authorizing an Agreement By and Between the City of St. Peters, Missouri and the City of St. Charles, Missouri, by and through its Parks and Recreation Board, for Reciprocal Use of the St. Peters Rec-Plex and the St. Charles Blanchette Aquatics Facility, McNair Aquatics Facility and the Wapelhorst Aquatics Facility (*Sponsors: Jerry Reese and Laurie Feldman*)

All Council Members requested that their names be added as sponsors to Council Bill 10184.

Bill 10185

An Ordinance Authorizing an Easement Agreement with the Missouri Department of Natural Resources, Division of State Parks, as Required Before the City Constructs, Operates or Maintains a Public Restroom Facility in Frontier Park (*Sponsors: Richard Veit, Larry Muench and Laurie Feldman*)

All Council Members requested that their names be added as sponsors to Council Bill 10185.

Bill 10186 (Amended)

An Ordinance Amending Chapter 156 of the Code of Ordinances by Enacting a New Section To Be Known as Section 156.098 Pertaining to the Establishment of Minimum Dwelling Sizes in Partially Completed Residential Areas (*Sponsors: Bob Kneemiller and Laurie Feldman*)

A motion was made by BOB KNEEMILLER to amend Council Bill 10186, by deleting subsection (C)(1) which reads "If developed lots are eighty percent (80%) or greater of all the lots, then the square footage of floor space of each new residential structure shall be no less than the smallest residential structure". LAURIE FELDMAN seconded the motion. All voted in favor, motion passed.

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ITEMS FOR DISCUSSION AND/OR COUNCIL ACTION

Request for Council President to Appoint Members to a Council Community Center Subcommittee

A motion was made by LARRY MUENCH to approve the recommendation of President of the Council Michael Klinghammer to establish a Community Center Task Force with the Mayor and all Members of the City Council as members. RON STIVISON seconded the motion. All voted in favor, motion passed.

Request to Fill the Vacant Position in the City Clerk's Office

Discussion was held relative to filling the vacant position in the City Clerk's Office. The Council requested that the City Clerk provide additional justification for filling the vacant position.

File #47366

CONSENT AGENDA

A motion was made by DAVE BECKERING to approve the Consent Agenda. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, Beckering, Feldman, and Klinghammer. "Nay": None. Absent: None. Motion passed.

A. Approval of Council Minutes

1. Regular Council Meeting of April 6, 2010
2. Public Hearing of April 6, 2010

File #47367

3. Administrative Hearing of April 6, 2010

File #47368

B. Approval of Council Committee Reports

1. Approval of Council Committee Minutes
 - a. Fire Station Design Team Committee Meeting of April 1, 2010
2. Approval of Council Committee Motions/Actions/Recommendations
 - a. Fire Station Design Team Committee Meeting of April 1, 2010
(None)

File #47311

C. Receipt of Reports from Boards, Commissions or Committees

1. Veteran Commission Meeting of March 1, 2010
2. Board of Public Works Meeting of March 11, 2010
 - a. Motion to Recommend the Acquisition of Land Required for 7 Elmwood Park Sanitary Sewer Repair Project

File #47313

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- b. Motion to Recommend Approval to Negotiate a Contract with Bax Engineering for the Sunset and Valley Drive Storm Sewer Project
 - c. Motion to Recommend Authorization to Enter into a Contract with Tap Utilities, LLC for the Construction of the Bee-Jay Storm Sewer Project in an Amount not to exceed \$226,932.25
 - d. Motion to Recommend the Water and Sewer Multi-Year Rate Structure as Presented by Staff

File #47337

- D. Receipt of Reports of the Director of Administration
 - 1. Notice of Emergency Purchase

File #47319

- 2. Request to Fill Vacant Position in the Public Works Department

File #47369

- E. Approval of Contracts and Easements from \$30,001 - \$99,999
 - 1. Contract with Thouvenot, Wade & Moerchen, Inc. for Design of the Monroe Street Reconstruction Project in an Amount not to exceed \$37,971.00

File #47370

- F. Preliminary Plats
 - None

- G. Miscellaneous
 - 1. Report of Court Administrator of Monies Collected and Deposited during the Month of March 2010

File #47320

- 2. Approval of Liquor License Application for Kimberly Ann Saguto dba Spirited Heart Gourmet Desserts & Catering Located at 1540 Country Club Plaza

File #47286

- 3. Amendment to Council Rules to Add Council Rule 46 Relative to Attendance at Conventions, Seminars, Trade Shows or Similar Events

File #47371

- 4. March Investment Report

File #47321

- 5. Update on Emergency Creekbank Stabilization Projects

File #47303

- 6. Approval of a Valet Parking Zone Permit for Quintessential Dining and Nightlife at 149 North Main Street

File #47372

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REPORT OF THE MAYOR

Appointments to Boards/Commissions

A motion was made by LARRY MUENCH to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

CONVENTION AND VISITORS COMMISSION: Appointment of Michael Gatto for a three-year term ending in April, 2013. Re-appointment of Scott Tate for a three-year term ending in April, 2013.

FAIR HOUSING COMMISSION: Re-appointment of Bruce Melton for a three-year term ending in April, 2013.

PARKS AND RECREATION BOARD: Appointment of Tom Probst for a three-year term ending in May, 2013. Re-appointments of John Walendy and Laura Lyon for three-year terms ending in May, 2013.

STRATEGIC PLAN IMPLEMENTATION COMMITTEE: Appointment of Mimi Jackson to fill a vacant term ending in February, 2012.

VETERANS COMMISSION: Appointment of Donald Newman to fill the unexpired term of Jim Combs ending in March, 2012.

FAIRGROUNDS ROAD COMMUNITY IMPROVEMENT DISTRICT:
Re-appointment of Steve Krause for a term ending in September, 2013.

PLAZA AT NOAH'S ARK COMMUNITY IMPROVEMENT DISTRICT:
Re-appointments of David Glarner, Rob Wetherald and Bruce Evans for terms ending in May, 2013.

LAURIE FELDMAN seconded the motion. A roll call vote was taken, with the following results: "Aye": Muench, Ohmes, Reese, Stivison, Veit, Beckering, Feldman, and Klinghammer. "Nay": None. Absent: Weller and Kneemiller. Motion passed.
File #47288

Written and/or Verbal Messages from the Mayor

National Day of Prayer. The Honorable Mayor Patricia M. York announced that the Chamber of Commerce is hosting the Annual Mayor's Prayer Breakfast on Thursday, May 6th at the St. Charles Convention Center at 7:30 a.m.

Public Works Day. The Honorable Mayor Patricia M. York announced that Public Works Day is scheduled for Friday, May 7, 2010, at the Mueller Road Soccer Park.

National Work Zone Safety Awareness Week. The Honorable Mayor Patricia M. York announced that National Work Zone Safety Awareness Week is scheduled for April 19-25, 2010.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
April 20, 2010

Spring Art Work. The Honorable Mayor Patricia M. York announced that the Spring Art Work is scheduled for April 24-25, 2010, on Main Street.

Convention Center. The Honorable Mayor Patricia M. York announced that the St. Charles Convention Center will be hosting the following events: The Home Show in St. Charles – April 23-25, 2010; Wrestling Legends on Tour – May 7-9, 2010; and Mother's Day Brunch – May 9, 2010.

Family Arena. The Honorable Mayor Patricia M. York announced that the Family Arena will be hosting the following events: John McEnroe v. Jim Courier Tennis Match - April 24, 2010; St. Charles County Spring Garage Sale – May 22, 2010; and Weird Al Yankovic – July 12, 2010.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Written and/or Verbal Messages from the Councilmembers

Utility Tax Rebate Program. Councilmember Jerry Reese, on behalf of the Senior Citizen Advisory Committee, thanked the Council for the Utility Tax Rebate Program.

Prescription Drug Turn-In Program. Councilmember Jerry Reese announced that the Police Department is hosting a Prescription Drug Turn-In Program on May 8, 2010.

Recycling Event. Vice President of the Council Laurie Feldman announced that eighteen 53 foot trailers were filled at the Electronic Recycling Event held on Saturday, April 10, 2010, at the Family Arena.

Ward Three Informational Meeting. Vice President of the Council Laurie Feldman announced that a Ward Three Informational Meeting is scheduled for Wednesday, April 21, 2010.

CLOSED SESSION

A roll call vote was taken to adjourn into closed session relative to legal actions, causes of action, or litigation (RSMo 610.021.1); leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2); hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo. 610.021.12), with the following results: "Aye": Ohmes, Reese, Stivison, Veit, Beckering, Feldman, Klinghammer, and Muench. "Nay": None. Absent: Weller and Kneemiller. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 9:06 p.m.

May 4, 2010
Date Approved
Marie K. McCoy
City Clerk

Michael Klinghammer
Michael Klinghammer, Presiding Officer